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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 8

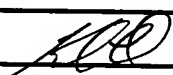
Application Number	10/509,723
Filing Date	October 1, 2004
First Named Inventor	Jorg Deiters
Art Unit	Not yet assigned
Examiner Name	Not yet assigned
Attorney Docket Number	534P013

ENCLOSURES (Check all that apply)

- | | | |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
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<input checked="" type="checkbox"/> Reply to Missing Parts/
Incomplete Application
<input checked="" type="checkbox"/> Reply to Missing Parts
under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a
Provisional Application
<input checked="" type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____
<input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Appeal Communication to Board
of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify
below):
-Copy of transmittal letter showing surcharge
already paid.
-Executed Declaration |
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Niels & Lemack		
Signature			
Printed name	Kevin S. Lemack		
Date	December 27, 2004	Reg. No.	32,579

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Kevin S. Lemack	Date	December 27, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jorg Deiters et al.
Serial No. : 10/509,723 (PCT/EP03/03639)
Filed : October 1, 2004 (8 April 2003)
For : BATTERY SEPARATOR WITH IMPROVED OXIDATION
STABILITY
Examiner : Not yet assigned
Art Unit : Not yet assigned
Attorney :
Docket No. : 534P013

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:


RESPONSE TO NOTICE OF MISSING REQUIREMENTS

As noted in the Transmittal Letter filed with the above identified application, no Declaration of the inventor was transmitted therewith. Applicant has been awaiting the customary "Notification: Missing Requirements Under 35 U.S.C. 371 and 37 CFR 1.494 or 1.495", but it has not been received. To guard against the possibility that it was sent by the PTO but not received by applicant, there are filed herewith the following items:


1. The relevant surcharges for filing the executed Declaration and English translation late have already been paid. A copy of the letter of Transmittal filed on October 1, 2004 enclosing the relevant surcharge is attached hereto.
2. A properly signed Declaration of the Applicant for DO/EO/US and Power of Attorney (4-Pages).

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account **14-0930**.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on **December 27, 2004**.


Signature: Kevin S. Lemack
Date: December 27, 2004

Respectfully submitted,


Kevin S. Lemack
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